

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11375 of 2019

Arising Out of PS. Case No.-204 Year-2016 Thana- GARDANIBAG District- Patna

Pankaj Kumar Son of Prem Prakash @ Prem Rai Resident of Village -
Saristabad , Purvi Tola, P.S-Gardanibagh, Dist.-Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailesh Kumar, Advocate

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 17-02-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner apprehends his arrest in **Gardanibagh**
P.S. Case No. 204 of 2016, registered for the offence punishable
under Sections 47(a)(b), 53(b), 63(b) of the Bihar Prohibition
and Excise Act.

It is submitted by learned counsel appearing on behalf
of petitioner that petitioner has falsely been implicated in this
case. FIR is against unknown. Name of this petitioner has
surfaced in this case on the basis of confessional statement of
co-accused Chhotu Singh @ Abhijeet Kumar. Petitioner is
neither the owner nor the driver of the vehicle in question. Save
and except disclosure made by the co-accused, there is nothing
against this petitioner. Co-accused Mantu Roy has already been



granted anticipatory bail by this court vide order dated 13.11.2017 passed in Cr. Misc. No. 38382 of 2017 (Annexure-4). Petitioner has got clean antecedent.

Considering the facts aforesaid, the petitioner above-named, in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Special Judge Excise Act-cum-Additional District and Sessions Judge IV, Patna** in connection with **Gardanibagh P.S. Case No. 204 of 2016**, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure with further conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty



to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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